

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDWARD S. YOUNG,	:	CIVIL ACTION
	:	NO. 08-2164
Petitioner,	:	
	:	
v.	:	
	:	
LOUIS S. FOLINO, et al.,	:	
	:	
Respondents.	:	

**O R D E R**

**AND NOW**, this **22nd day of December 2009**, upon consideration of the Report and Recommendation of United States Magistrate Judge L. Felipe Restrepo (doc. no. 16) and Petitioner's objections thereto (doc. no. 20), it is hereby **ORDERED** as follows:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Petitioner's objections to the Report and Recommendation are **OVERRULED**; and
3. The Petition for Writ of Habeas Corpus, pursuant to 28 U.S.C. § 2254, (doc. nos. 1, 3) is **DISMISSED**.

4. There is no basis in the case for the issuance of a certificate of appealability.<sup>1</sup>

**AND IT IS SO ORDERED.**

S/Eduardo C. Robreno  
**EDUARDO C. ROBRENO, J.**

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<sup>1</sup> A petitioner seeking a certificate of appealability must demonstrate "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). "A petitioner satisfies this standard by demonstrating that jurists of reason could disagree with the district court's resolution of his constitutional claims or that jurists could conclude the issues presented are adequate to deserve encouragement to proceed further." Miller-El v. Cockrell, 537 U.S. 322, 327 (2003). No basis for a certificate of appealability exists in this case, as Petitioner is unable to meet this standard.